



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

December 13, 1995

Mr. Mark S. Houser
Vial, Hamilton, Koch & Knox, L.L.P.
1717 Main Street, Suite 4400
Dallas, Texas 75201

OR95-1403

Dear Mr. Houser:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 35587.

The City of Highland Village (the "city") received an open records request for a list of all pager and cellular telephone numbers that are paid for with city funds for all city officials including fire and police employees. You state that you have provided the requestor with a list of cellular and pager telephone numbers for non-law enforcement city officials. You contend that, pursuant to section 552.108 of the Government Code, the cellular and pager telephone numbers assigned to individual city employees with specific law enforcement responsibilities are excepted from required public disclosure. You have submitted for our review a list of all of the telephone, cellular, and pager numbers paid for with city funds. You have marked the portions of the list that you contend must be withheld from required public disclosure.

You state that the purpose of the pagers and the cellular telephones is to insure immediate access to designated law enforcement personnel, which would be defeated if the public had access to these telephone numbers. As you note, this office has determined that governmental bodies may withhold from public disclosure the cellular telephone numbers assigned to individuals with specific law enforcement responsibilities. Open Records Decision No. 506 (1988). You contend that, as with the release of cellular telephone numbers assigned to individuals with specific law enforcement responsibilities, the release of pager numbers assigned to such individuals would unduly interfere with law enforcement efforts. We agree and conclude that, pursuant to section 552.108 of the Government Code, you may withhold only the pager and cellular telephone numbers you have marked that are assigned to city employees with specific law enforcement responsibilities. See Open Records Decision No. 531 (1989) at 2. You must release the

remainder of the marked information. Specifically, you must release the right-hand column of the marked portion on the first page of exhibit three that states the unit number and to whom a cellular number is assigned.

We are resolving this matter with this informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and may not be relied upon as a previous determination under section 552.301 regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Kathryn P. Baffes
Assistant Attorney General
Open Records Division

KPB/ch

Ref: ID# 35587

Enclosures: Submitted documents

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